

**Commissioners Meeting
September 17, 2013**

Present: David Gogel, Al Logsdon, Mickey Toler, Tara Lloyd, Attorney Jeff Lindsey, Auditor Jane Lynam

Absent: Chuck Painter

Meeting was called to order by President David Gogel at 1:00 P.M.

Minutes

Toler made a motion to approve the minutes from September 3rd as presented. Logsdon seconded the motion, motion approved.

Legal Report

Logsdon asked Lindsey if he had checked to see if we are required to have stop signs at all railroad crossings. Lindsey said he had checked into it. The County Roadside Ordinance from 1998 which is 43 pages long had nothing in it. Ordinance 2012-13 had no references to railroads. There was a reference in the minutes from 2001 where a \$28,000 grant had been received and Brian Mundy was the County Engineer at the time and the stop signs were put up then without an Ordinance or Resolution. Lindsey said he felt there needed to be an Ordinance. State Statute gives us the authority to designate where stop signs are to be located. Logsdon asked if we should go ahead and put a stop sign at the railroad crossing north of Chrisney as soon as possible. Lindsey said the Ordinance should come first.

Logsdon said he felt it was important that everybody know the Commissioners discussed this and felt it was of the utmost importance for safety's sake that the Ordinance be created.

Logsdon made a motion to authorize the creation of the Ordinance. Toler seconded the motion, motion approved.

Dean Knepper-VSO

Knepper explained that due to HV1387 the State VA is going to a new program called Vetra Spec, which will require a Windows 7 machine. He presented two quotes, one for only the updates/upgrades required and one for a whole new system. Next year they will go to E-benefits so the Veterans can put all the information in themselves, so a second monitor will be required to process these. Logsdon made a motion to approve Knepper getting two additional quotes on comparable systems and that we allow up to \$2,500 to be spent. Make sure you are getting the best deal, and then check with Toler and his tech support team to make sure it is suitable for your needs. Toler seconded the motion, motion approved. Computer will be paid for from Cum Cap by regular claim process.

Kim Hay-County Nurse

Hay explained that the seasonal flu vaccine is in and they will bill SIHO at their cost. They will set certain days for flu shots so she suggests anyone wanting to come to please call first.

Legal Report

Lindsey presented a Resolution regarding AK Steel Settlement Funds that was discussed at the last meeting. The Redevelopment Commission had already adopted the Resolution in the amounts of \$2,450 to Lindsey Law Office and \$19,861.63 to Ice Miller, LLP. Toler made a motion to approve Resolution 2013-17 approving claims of \$2,450 to Lindsey Law Office and \$19,861.63 to Ice Miller, LLP from the AK Steel Settlement Funds. Logsdon seconded the motion, motion approved. Lindsey presented a draft of the letter to Department heads concerning policies in the Personnel Handbook for the Commissioners to review. Commissioners decided the letter was to go out on their letterhead with Lindsey's information and be sent to every Department Head. Logsdon made a motion to approve the letter for Spencer County Elected Officials and Department Heads regarding use of and implementation of the Personnel Policies that have been adopted by Ordinance. Toler seconded the motion, motion approved.

Ron Heady asked in regard to the letter being given to all Department Heads, my question is as far as emergency services does it have to be brought before you at a meeting or if we have someone quit today, do we have to wait until the next meeting, or can we hire before that.

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Lindsey said to check the Personnel Handbook concerning emergency situations, because that was different. Logsdon said if this would happen between meetings, and you have a vacancy, they could call and talk to legal counsel and they could reach an agreement that met the intent of the handbook, that would be sufficient and then let us know at the next meeting of the action that had taken place. Lindsey said he didn't feel that the policies in the Handbook applied to the jail.

Gogel explained that the Treasurer had received a request from a lender/mortgage company for a complete copy of the tax rolls and wanted to know how to proceed. Lindsey said he would check into it, including the cost. Regular copy fees are currently set at \$.05 and Lindsey said he felt we should ask the County Council to increase that to the maximum of \$.10.

Gogel asked in the best interest of the county do we leave the property belonging to First Philadelphia Ministries on the tax sale or should be taken off. Lindsey said he felt it should be left on the tax sale. They are aware of the situation; we need to hold their feet to the fire. If they have an auction prior to the tax sale they are required to disclose the fact that it is on the tax sale and that they are under an order by the county to initiate cleanup.

Phil Brown said the additional 60 days we agreed to is about up, so what are we going to do.

Logsdon said at this point we will just have to wait and see what happens at least they have made a good faith effort and if we have to clean it up we just add it to the delinquent taxes.

Logsdon further stated that he felt Lindsey should attend the tax sale to let everyone know of the order by the county to clean the site up.

Logsdon said he had contacted Barry Ritter, head of the State 911, and asked him to help us if at all possible with the interferences we are having. He gave him Kati Richards contact information and he said he would contact her to see if there was anything he could do. Logsdon also stated that everyone needs to check their cell phone bills to make sure they are being charged \$.90 per cell phone, if they have more than one phone on their plan. If that isn't happening then the correct amount of money isn't being collected for 911 funds.

Elliott Englert-Region 15

Englert explained that in the fall of last year Region 15 applied for another assessment grant from EPA. The grant of \$400,000 was awarded to them in May of this year. He presented a Memorandum of Agreement that explained roles and responsibilities of each party that needs the President of the Commissioner's signature. Logsdon made a motion to sign the Memo of Agreement with the Indiana Region 15 Planning Commission and the Brownfield Assessment Coalition for utilization of the \$400,000 that was awarded for use between October 1, 2013, and September 30, 2016. Toler seconded the motion, motion approved.

Logsdon asked what the deadline was for submitting potential sites. Englert responded that between now and February they will select a consultant and then select sites.

By the end of September Region 15 will need all in-kind valuations on the Troy Refinery Site; top soil value, July, August, and September hours worked, equipment and materials used. ATC will do injection wells on the site next week.

Gary Eck-Eck Mundy

Eck provided a quote for lightning protection to help avoid the problems we just encountered. He explained that we would need an electrician to get this done and asked if they had someone in mind. Logsdon said he felt we should use Weyer Electric since they had previously done work here. Eck will contact them and have them get in contact with Toler. Gogel said we need to get it taken care of and we have the money in Cum Cap Courthouse Maintenance, so let's get it done and pay it through regular claims process. Eck will check on other county owned buildings to see if we need anything else. Logsdon thanked Toler for all the time he spent checking on everything and getting it back up and running after the lightning strike.

Engineer Report

Lloyd said that Terry Bough with INDOT let her know that they have to maintain the light at the intersection of Old 231 and Old Highway 70 because they have never reached an agreement with Chrisney. The flashing light at the railroad track north of Chrisney currently isn't working, but since the traffic is not as heavy as it was it really isn't a problem.

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Since the new highway opened the traffic is no longer backed up like it was so we are not obligated to keep it just because the State Highway had it there.

Kendall Thompson e-mailed Lloyd and explained that they were still working on the project on County Road 300 E. They are still working on the paperwork to have that vacated and turned over to them. The Parks Board came up with enough funding to fill it all in and buy grass seed, but did not have enough money to buy hay. They would like the county to purchase 50 bales of hay for them. Logsdon said since we no longer have to worry about furnishing any dirt for that project I think we can furnish the straw. Logsdon made a motion to have the county buy 50 bales of straw to complete the project. Toler seconded the motion, motion was approved.

Lloyd said she was trying to get a time set up with the DNR to meet with us at the tree planting site. Commissioners said to try the date of Friday September 27th at noon or Tuesday, October 1st at 1:30 our time. They will meet at Huffman Mill Bridge; Lloyd will let them know which date works best.

Regarding culvert permits and the county installing them, Lloyd explained that they do 20 to 30 per year. The men at the Highway Dept are extremely busy now and we have some permits that are just laying there waiting until we have time to do them. Is that a service we need to let go? After discussion Logsdon said he felt that we could justify making the policy change that we stop installing the culverts due to diminished number of employees in the workforce and budgetary constraints. The change would become effective January 1, 2014. They would still have to get the permits and Lloyd would approve and size it, and after installation do the inspection. Lloyd said she would write up something and get it to Lindsey to look at.

Logsdon asked Lloyd to get the formula the state is using and make sure that the amount we are receiving from INDOT in the additional is correct, and report back to us. Logsdon said he felt the County Engineer should send a letter to Senator Luke Kenley and thank him for his leadership in getting this bill passed and let him know that we appreciate the extra money. Since we will have to let them know down the road how we are spending this money Logsdon suggested the Highway Superintendent, County Engineer and the Commissioners should meet and discuss what road we could do with the extra money that we wouldn't have been able to do otherwise. We need to take before and after pictures and send them to Senator Kenley also so he will have them for his files so he will know directly what we are using the extra money for.

Far Best contacted Lloyd earlier and asked if they could go ahead and let the contractor start on the water line. She said they had complied with everything we asked them to do; they have their right-of-way permits, and truck hauling permits for bonding the roads. We have their cashier's check and bond in the Treasurer's safe. She told them as far as she knew they could go ahead and start since they have complied with everything pertaining to our Ordinance.

New Business

Logsdon explained that Pete Franzman had given him information from SIHO on how we have to revise our summary plan for Spencer County Employees, changes effective August 1, 2013 required by ACA. He explained that it needed to be signed and returned to SIHO. After much discussion Logsdon said we should take it under advisement and have Lindsey check with Carolyn Beck with SIHO and then put it on the agenda for the next meeting.

Commissioners agreed that ABR could use the Courthouse Assembly Room for practice prior to the performance in December.

Toler made a motion to adjourn. Logsdon seconded the motion, motion approved.

Meeting was adjourned at 2:55 P.M.

President

Attest:

Auditor